

Reserve components, including members of the Air Force Reserve Officers' Training Corps; and personnel carried on Air Force retired lists are entitled to wear the lapel button.

### Subpart I—Organizational Emblems

SOURCE: The provisions of this Subpart I appear at 32 F.R. 13126, unless otherwise noted.

#### § 882.150 Policy on use of emblems.

The Air Force encourages the use of emblems as a means of fostering unit pride and morale.

#### § 882.151 Types of emblems.

For the purpose of this part, an emblem is a symbolic design portraying the distinctive history or general function of a unit. Emblems are of two types:

(a) Those for use by flag bearing units (group level and above).

(b) Those for use by squadrons and comparable units.

#### § 882.152 Control of emblems.

(a) Sources outside the Air Force must obtain permission from the unit concerned and approval of the major command headquarters before reproducing or using a unit emblem. If the design is covered by a copyright, permission from the artist or agency granting the original copyright release also is required.

(b) Upon request from a nongovernmental agency for use of an approved emblem (such as by hobbyist, model aircraft kit manufacturers, for an advertisement, etc.), the major command will judge whether such use serves the best interests of the Air Force.

(c) Approved emblems will not be exploited for commercial purposes.

## PART 883—APPREHENSION AND ARREST

Sec.

883.1 Purpose.

883.2 Persons not subject to UCMJ.

AUTHORITY: The provisions of this Part 883 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: The provisions of this Part 883 appear at 29 F.R. 13742, Oct. 6, 1964, unless otherwise noted.

#### § 883.1 Purpose.

This part informs Air Force members of their right, under certain circumstances, to apprehend persons not subject to the Uniform Code of Military Justice (UCMJ).

#### § 883.2 Persons not subject to UCMJ.

(a) All Air Force members have the ordinary right of civilians to assist in maintaining the peace. Therefore, when a felony, or a misdemeanor amounting to a breach of the peace is committed, Air Force members usually have the right to apprehend the perpetrator, no matter what his status. However, the law of apprehension varies considerably from one locality to another, and action should not be taken before ascertaining the law of the particular jurisdiction, if possible.

(b) When persons not subject to military law are found within the limits of military jurisdiction in the act of committing a breach of regulations which does not amount to a felony or a breach of the peace, the commanding officer may order them removed therefrom and not to reenter. 18 U.S.C. 1382 states the penalty imposed for reentrance after ejection.

## PART 884—DELIVERY OF AIR FORCE PERSONNEL TO U.S. CIVILIAN AUTHORITIES FOR TRIAL

Sec.

884.1 Purpose.

884.2 Applicability.

884.3 Authority.

884.4 Policy.

884.5 Procedure for delivery.

884.6 Procedure upon refusal of request.

884.7 Release on bail or recognizance.

884.8 Cases involving special circumstances.

AUTHORITY: The provisions of this Part 884 issued under sec. 8012, 814, 70A Stat. 488, 41; 10 U.S.C. 8012, 814.

SOURCE: The provisions of this Part 884 appear at 29 F.R. 13742, Oct. 6, 1964, unless otherwise noted.

#### § 884.1 Purpose.

This part sets forth the authority, policy, and procedures for delivery of Air Force personnel to United States civil authorities for trial.

#### § 884.2 Applicability.

(a) This part applies to all military personnel in the Air Force.

(b) It does not apply to delivery of personnel to foreign authorities. It is not applicable where a State, having concurrent jurisdiction for the purpose of executing criminal process, proceeds by service of process to take custody of an Air Force member without making formal request for his delivery.